

REMARKS

I. Formal Matters

After the entry of this amendment, claims 1-6 will be pending in this application.

The Examiner has rejected claim 3 and indicated that the claims, in general, are free of prior art. Applicants have reformatted claim 3 from a use claim to a method claim.

Applicants have also added claims 4-6. New claims 4 and 6 find support in Example 16 on page 27, beginning on line 15 of the specification, especially lines 17 and 18 of page 27. New claim 5 finds support in Example 17, beginning on the last line on page 28 of the specification. Accordingly, no new matter has been added.

II. Utility Rejection Under 35 U.S.C. § 101

The Examiner has rejected claim 3 under 35 U.S.C. § 101 because the claim is allegedly directed to nonstatutory subject matter. The Examiner indicates that “use” claims are improper.

Without acquiescing to the rejection, Applicants have amended claim 3 to recite a method of treating cancer in an effort to facilitate prosecution. Applicants request that the Examiner withdraw this rejection.

In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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